

REMARKS

The independent claims are claims 1, 11, 15, and 18. All independent claims and dependent claims are rejected as anticipated by *Lilenfeld* (U.S. Patent No. 6,819,557), under 35 U.S.C. § 102(e), except that dependent claims 5 and 19-20 are indicated to be allowable.

Claim 1 is now amended without prejudice, merely to expedite allowance, by clarifying that the extendable instrument has a pivoting scissors-type construction. This is supported at least by page 5 of the application as originally filed, line 14. This is very different from the cited *Lilenfeld* reference, which does not include any scissors-type construction. The other independent claims are similarly amended. None of the present amendments introduce any new matter, and all of the amendments are fully supported by the specification as originally filed. Applicant respectfully submits that this is a very non-obvious type of construction for a touchable display screen stylus.

Regarding the rejection of mobile terminal claim 11, Applicant also respectfully submits that *Lilenfeld* does not disclose an enclosure configured to store the stylus in a folded configuration. The Office Action points to figures 6a, 7a, 10a, and 10b but all of those figures merely show a stylus **200** having a shaft **270** that can store other parts of the stylus. *Lilenfeld* discloses no enclosure for storing the stylus **200**, in either folded or unfolded configurations.

New claim 21 is added, in order to claim that the tether is connected to the enclosure. This is supported at least by present FIG. 1 of the application as originally filed.

Regarding the rejection of claim 12, Applicant respectfully submits that there is no motivation to combine *Russell* (U.S. Patent No. 6,703,570) with *Lilenfeld*. The purpose of the tether in *Russell* is to provide an electric cable that powers the pen (col. 5, lines 60-65). This electrical power is needed because the pen of *Russell* is designed to digitize movement of the pen, so that — when the pen is used to write — its motion can be recorded in an electronic memory. In contrast, the present claimed stylus does not use any power, and instead it writes on a touch-sensitive screen. The stylus of the present claimed invention cannot use any ink (in

contrast to col. 5, lines 5-10 of *Russell*) without destroying the present claimed touch-sensitive screen. Thus, Applicant respectfully submits that a person skilled in the art would perceive no reason to attach an electric cord to the present claimed stylus, and of course there is no suggest in either of the references themselves to combine the cord or tether of *Russell* with the stylus of *Lilenfeld*.

Furthermore, another novel feature of present claim 1 is “at least one additional hinge or joint” that connects the additional element to part of the extendable instrument. These elements are, for example, joints **220** and **225** in FIG. 2 of the present application. The Office Action points to element **242** of *Lilenfeld*, at the sixth line from the end of page 2 of the Office Action. However, the Office Action already pointed to element **242** at the ninth line from the end of page 2 of the Office Action. Therefore, Applicant respectfully submits that the Office Action has not pointed to an “*additional*” hinge or joint. The Office Action states at page 7 that the present claimed additional hinge or joint is shown by *Lilenfeld* at:

- (A) Claim 5
- (B) Column 5, lines 3-11
- (C) Column 7, lines 45-52.
- (D) Figures 3 and 6a,

However, Applicant respectfully disagrees. Claim 5 of *Lilenfeld* specifically says that the claimed hinge joins a “stabilizer” to an arm, whereas present claim 1 is unrelated to any “stabilizer” such as the “stabilizer” in claim 5 of *Lilenfeld*. Column 5, lines 3-11 of *Lilenfeld* merely refers again to the hinge **242** that was already cited in the Office Action at the ninth line from the end of page 2 of the Office Action. Column 7, lines 45-52 of *Lilenfeld* refers to a hinge fitted to the tip of the stylus, whereas present claim 1 says the hinge connects to the additional element that supports the stylus tip, rather than being connected to the stylus tip itself. Likewise, the Office Action has not identified any particular element of figures 3 and 6a beyond the hinge

242 that was already cited in the Office Action at the ninth line from the end of page 2 of the Office Action.

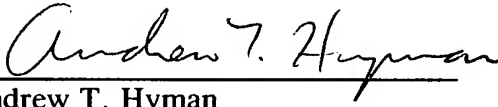
CONCLUSION

Because the cited references do not teach or suggest critical elements of the present amended independent claims, it is respectfully submitted that the present claims are novel and patentable. Early allowance of the pending claims is therefore earnestly solicited. Applicant would be grateful if the Examiner would please contact Applicant's attorney by telephone if the Examiner detects anything in the present response that might hinder a speedy allowance.

Respectfully submitted,

Dated: April 13, 2007

WARE, FRESSOLA, VAN DER
SLUYS & ADOLPHSON LLP
Building Five, Bradford Green
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955


Andrew T. Hyman
Attorney for Applicant
Registration No. 45,858